

FILED  
U.S. DISTRICT COURT  
★ MAY 03 2007  
M. TIME A.M. (2)

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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CHUNG WAI HUNG,

Petitioner,

-against-

UNITED STATES OF AMERICA,

Respondent.  
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02 CV 6795 (SJ)

**MEMORANDUM  
AND ORDER**

**A P P E A R A N C E S**

CHUNG WAI HUNG  
04266-082-I  
Federal Correctional Institution  
P.O. Box 1000  
Sandstone, MN 55072  
Petitioner, *Pro Se*

ROSLYNN R. MAUSKOPF  
United States Attorney  
Eastern District of New York  
One Pierrepont Plaza  
Brooklyn, NY 11201  
By: Jennifer Ellen Schantz, Esq.  
Attorney for the United States

JOHNSON, Senior District Judge:

Chung Wai Hung ("Petitioner"), proceeding *pro se*, brings this action for return of property seized incident to his arrest on December 21, 1997. Specifically, Petitioner requested the return of his original Chinese Passport and Canadian Immigration Identification documents.

*Chung*

*CM*

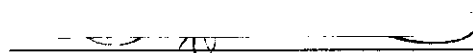
Petitioner's petition was filed on December 19, 2002, the government filed a motion to dismiss the petition on March 28, 2003, which the Court treated as a response to the Petition, and Petitioner filed a memorandum in opposition to the government's response on April 22, 2003.

Since April 22, 2003, neither party has taken any action in connection with this case. Furthermore, according to the Federal Bureau of Prisons, Petitioner was released from custody on November 15, 2006.

Petitioner is now ordered to show cause, within 30 days of the date this Order is filed, why his petition should not be dismissed for failure to prosecute pursuant to Rule 41 of the Federal Rules of Civil Procedure.

SO ORDERED.

Dated: April 29, 2007  
Brooklyn, NY

  
Senior United States District Judge